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SUBJECT: SUPREME COURT: JUSTICE SHOULD SERVE THE REVOLUTION

Classified By: POLITICAL COUNSELOR ROBERT RICHARD DOWNES
FOR REASON 1.4 (D)

¶1. (SBU) At the opening of the 2008 Supreme Court session on January 28, the two senior justices who addressed the crowd made it clear that the Venezuelan courts exist to serve the Bolivarian revolution. While not chanting "Uh, Ah Chavez No Se Va!" (Chavez Don't Leave!) as the justices did at the opening of the 2007 session, the keynote speaker, Constitutional Tribunal Justice Francisco Carrasquero Lopez (and former President of the National Electoral Council) argued at length why courts should not be impartial or apolitical, but should serve Venezuela's Bolivarian revolution. He stressed that to have a just state you need a political ideology and an activist court. He also blamed imperialism, and implicitly the United States, for most of the world's ills, including Venezuelan corruption.

¶2. (C) The President of the Supreme Court Luisa Estella Morales made similar, albeit milder remarks in her hour-long discourse. She focused more on a statistical review of the court's performance during 2007. A visibly weary President Chavez worked the crowd and briefly exchanged pleasantries with PolCouns before sitting through the two speeches. He did not address the audience himself.

¶3. (C) Comment: In this environment, and with these and similar public statements by court members, it is difficult to believe that the Supreme Court could or would hinder or reject any effort by President Chavez to pursue his proposal to eliminate presidential term limits. That proposal was defeated as part of a much larger package in the December 2007 constitutional referendum. Many constitutional experts in Venezuela argue that a failed constitutional proposal cannot be resubmitted during the same presidential term. Chavez is currently barred by the constitution from running for re-election in 2012, but he has expressed his intent several times since the referendum to seek indefinite reelection, including via court rulings.
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